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PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number

10/604,985

Filing Date

August 29, 2003

First Named Inventor

Bentwich, et al.

Art Unit

1635

Examiner Name

Ashen, John Benjamin

Attorney Docket Number

06087.0200.CPUS12

### ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/  
Incomplete Application

☐

Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a  
Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐

Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board  
of Appeals and Interferences

☐

Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☐

Other Enclosure(s) (please identify  
below):

Notice of Non-Compliant Amendment/Postcard

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Howrey LLP

Signature

Printed name

David W. Clough, Ph.D.

Date

April 7, 2006

Reg. No.

36,107

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

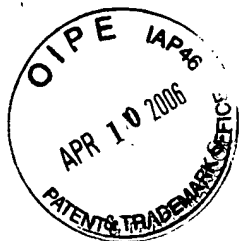
David W. Clough, Ph.D.

Date

April 7, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**PATENT**  
Docket No. 06087.0200.CPUS12

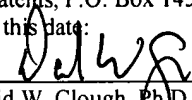
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Bentwich, *et al.* )  
Appln. No.: 10/604,985 )  
Filed: August 29, 2003 )  
Confirmation No.: 1984 )  
For: BIOINFORMATICALLY )  
DETECTABLE GROUP OF NOVEL )  
REGULATORY GENES AND USES )  
THEREOF )  
Group Art Unit: 1635 )  
Examiner: Ashen, Jon Benjamin )

Certificate of Mail

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date:

04/07/06  
Date

  
David W. Clough, Ph.D.  
Registration No. 36,107

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT  
UNDER 37 C.F.R. § 1.121**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment under 37 C.F.R. §1.121 mailed March 7, 2006, and in accordance with the Rule of Practice, please enter the re-submitted "Amendments to the Claims" section presented below. Enclosed herewith is a copy of the Notice.

Applicant believes this response to be timely filed. However, should any extension be deemed necessary in connection with the filing of this document, please consider this a request for extension. The Commissioner is hereby authorized to deduct any fees required for such extension from Deposit Account No. 08-3038 referencing the above attorney docket number.

No fees are believed to be due at this time; however, should any fees be deemed necessary in connection with the filing of this document, the Commissioner is hereby authorized to deduct any such fees from the above-referenced Deposit Account.